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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,213	03/22/2004	Chun Ta Lee		3301
25859 7590 03/20/2007 WEI TE CHUNG FOXCONN INTERNATIONAL, INC. 1650 MEMOREX DRIVE SANTA CLARA, CA 95050			EXAMINER FIGUEROA, FELIX O	
			ART UNIT	PAPER NUMBER
			2833	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/20/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/807,213

Applicant(s)

LEE ET AL.

Examiner

Felix O. Figueroa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-30, 32 and 33 is/are rejected.
- 7) ☒ Claim(s) 19-27 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

The restriction requirement has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 19 and 20 are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

Claim Objections

Claims 19-33 are objected to because of the following informalities:

In claim 19 line 19, after "terminal" (first occurrence) the period should be changed to a comma.

Claim 21 recites "a root region" in lines 4 and 10-11. It is unclear whether both occurrences refer to the same or distinct element. The use of "a second root region" is suggested. Furthermore, the claim language appears to put the two root regions at

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opposite ends of the terminals, i.e. one near the carrier and the other one at the distal end.

In line 9, "second" should be deleted, since the claim does not disclose a first transfiguration section.

In line 14, "experiences" should be --experience--, since it refers to the "portions".

In claim 22 line 2, "second" should be deleted, since the claim does not disclose a first transfiguration section.

Claim 28 recites "a root region" in lines 4 and 10. It is unclear whether both occurrences refer to the same or distinct element. The use of "a second root region" is suggested.

In claim 31 line 4, "experiences" should be --experience--, since it refers to the "portions".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 28-30, 32 and 33 are rejected 35 U.S.C. 103(a) as being unpatentable over Pernet (US 5,860,821).

Pernet discloses a switching terminal assembly comprising: a carrier strip (2); a first terminal (5) extending from one edge of the carrier strip and defining a main plane

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and having an elongate, a first base section (adjacent carrier 2) with thereof a first retaining [section] at a root region and a first contact section (at 8) at a tip region; a second terminal (4) for electrically connecting with the first terminal, extending from the edge substantially parallel to the first terminal from an elevational view, the second terminal including a second retaining section at thereof a root region, the second retaining section being coplanar with the first retaining section, an elongated second transfiguration (between 2 and 11) section connected to the second retaining section, an angled portion (at 11) connected to the second transfiguration section, and a pressing portion (at 22) connected to the angled portion; wherein a tip section (22) of the pressing portion is essentially located at a same level with the first contact section (vertical level in Fig. 2a), and the pressing portion is offset from the main plane from a side view.

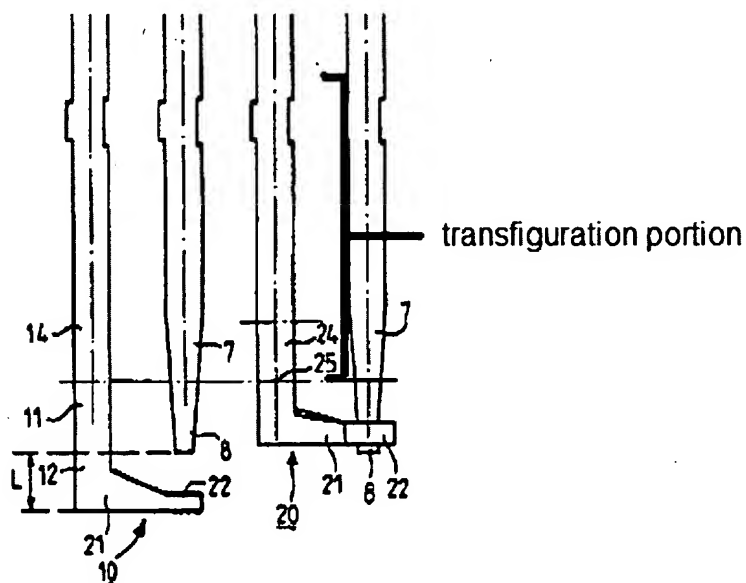
Pernet discloses substantially the claimed invention except for the second contact section instead of the first contact section extending transversely to the longitudinal direction. It would have been obvious to one having ordinary skill in the art at the time the invention was made to form the first contact section extending transversely to the longitudinal direction to simplify the construction of the second terminal, and since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Regarding claim 29, Pernet discloses both the first retaining and the second retaining section being linked to the same carrier in a coplanar manner.

Regarding claim 30, Pernet discloses the angled portion being of a U-shaped configuration.

Regarding claim 32, Pernet discloses the tip of the second contact section is located below of the first contact section from a planform view (opposite the view of Fig. 1), and the pressing portion of the second terminal is of an arc configuration with a tip of arc configuration being away from the first contact section of the first terminal.

Regarding claim 33, Pernet discloses the angled section is laterally offset from the second retaining section, and the angled section is spaced away from the cutout in a longitudinal direction of the second retaining section



Allowable Subject Matter

Claims 19-27 would be allowable if rewritten or amended to overcome the objections set forth in this Office action.

Claim 31 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach or suggest a switching assembly with first and second terminals, wherein the second terminal has a cutout defined in an inner edge and portions around the cutout experience deformation due to rotation of the second terminal about the cutout, in combination with the remaining limitations of the claim(s).

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection as applied.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Felix O. Figueroa
Primary Examiner
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